

Department of Planning and Zoning

149 Church Street, City Hall
Burlington, VT 05401-8415
Phone: (802) 865-7188
Fax: (802) 865-7195

www.burlingtonvt.gov/pz

RECEIVED JUN 14 2016

DEPARTMENT OF PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 112 Church St
PROPERTY OWNER*: E.H BERGER TRUST
APPLICANT: Jeff BERGER
POSTAL ADDRESS: 112 CHURCH ST
CITY, ST, ZIP: Burlington VT
DAY PHONE: 802-578-3957
EMAIL: Jeff.Berger.VT@gmail.com
SIGNATURE: [Signature]

Description of Proposed Project: window replacement @ 112 CHURCH ST

Existing Use of Property: [] Single Family [] Multi Family: # ___ Units [] Other: ___

Proposed Use of Property: [] Single Family [] Multi Family: # ___ Units [] Other: ___

- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes [X] No []
Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes [] No [X]
For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes [] No [X]
Are you proposing any work within or above the public right of way? Yes [] No [X]

Estimated Construction Cost (value)*: \$ 750 -

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: D Eligible for Design Review? [X] Age of House 1061 Lot Size 1625
Type: SN ___ AW ___ FC ___ BA ___ COA 1 [X] COA 2 ___ COA 3 [X] CU ___ MA ___ VR ___ HO ___ SP ___ DT ___ MP ___
Check No. 1928 Amount Paid 80.00 Zoning Permit # 16-1441CA

Ryan Morrison

From: Ryan Morrison
Sent: Friday, July 08, 2016 2:39 PM
To: 'jeffbergervt@gmail.com'
Subject: Window replacement at 112 Church Street
Attachments: 1.pdf; 1.pdf; 1.pdf

Good morning Mr. Berger.

I am reviewing your application to replace the windows at 112 Church Street, and have a concern. It appears that the original louvered jalousie windows have been replaced with 1 over 1 sash windows over time, without permits.

The first two attachments, photos from 1984 and 1995, shows 3 of the 4 upper story windows as louvered jalousie windows, and the fourth window (top left) as a 1 over 1 sash window.

The third attachment contains 2 photos – one from 1993, and one from 1995. It is between 1993 and 1995 that the bottom right window was replaced with a 1 over 1 sash window – without a permit.

And then sometime after 1995, the bottom left window, was replaced without a permit to a 1 over 1 sash window – as shown in the photo accompanying the current application.

The building was constructed in 1961, a time when louvered jalousie windows were quite common. It seems that the louvered jalousie windows are the original windows, and over time, 3 of the 4 upper story windows were replaced without permits – based on our records. If you have documentation to suggest otherwise, I would be happy to take a look at it.

What I'm getting at is that our Comprehensive Development Ordinance (CDO) requires the preservation of original materials and features of historic structures – this would include windows. Because there have been no permits issued to change the upper story windows, we would require, under your current permit, that the replacement windows be louvered jalousie to preserve the historic nature of the building.

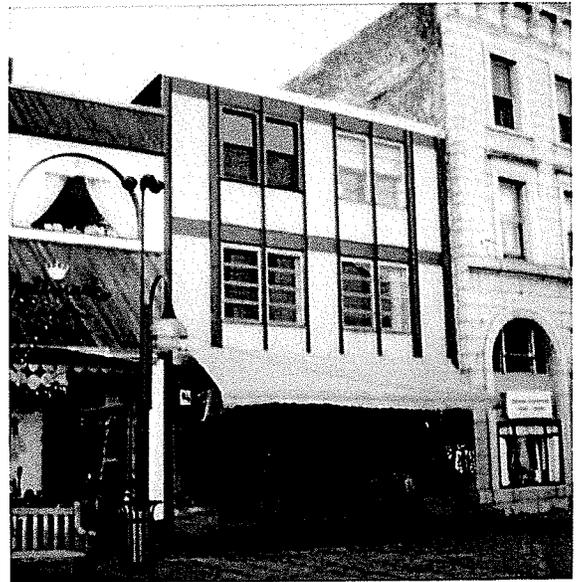
Our zoning code basically looks the other way for violations that have been in existence for more than 15 years (i.e. unpermitted windows) – essentially saying that the City will not take enforcement action. However, when a property owner/developer wishes to replace something that was never permitted in the first place – then the code would not support it – which appears to be the case with these windows.

In preserving the historic features of the building, I don't see how we will be able to approve the 1 over 1 sash windows. The CDO would require any replacement windows to be louvered jalousies. If you have documentation that would reverse any determination we've made, I would be happy to take a look. I will hold your permit until I hear back from you. Let me know if you have any questions. Thank you.

Ryan Morrison, CFM
Associate Planner
City of Burlington
802-865-7190



12/22/84





EXISTING STORE FRONT

<p>BODY PAINT</p>	<p>CANVAS AWNING</p>
<p>NEW SUGGESTED COLOR SCHEME. (SEE EXTERIOR PERSPECTIVE VIEW FOR THE NEW PROPOSED STORE-FRONT DESIGN.)</p>	

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 JAN 18 1995
 DEPT. OF
 PLANNING & ZONING

EXTERIOR LIGHT:
 RECESS DOWN LIGHT W/ GOLD TRIM/RIM
 SUITABLE FOR USE IN ACCESSIBLE NON-INSULATED CEILING.
 50 WATT MAXIMUM.

LIPPA'S JEWELERS

1.11.95

R 049-3-131-000
BERGER, JEFFREY S
(TRUSTEE)
42 CHURCH STREET
BURLINGTON, VT

DATE 11/93 BLDG.#



05401

DATE 9/5/95 BLDG.#



DATE BLDG.#

DATE BLDG.#

112 Church St -

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DEPARTMENT OF
PLANNING & ZONING

Cippa's Jewelers

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 7 Page 46

Church Street Historic District
Burlington, Chittenden County, Vermont

Description (continued)

Machine & Repair Company. For many years, the entire first floor was the home of the Everyday Bookshop. A Yankee Candle retail store is the current tenant.

#40 110 Church Street, (Discovery Channel Store), 1973, Non-contributing

This modern, two-story, four-bay, flat-roofed, concrete block commercial building with gray stucco facade was built in 1973. It replaced a four-story brick commercial block that was torn down after 1960. Below the simple flat-molded cornice is a row of four wide arched windows with metal frames. Each window is composed of an arched section above and a narrow rectangular light below. Separate flat black canopies shelter each window. The asymmetrical store entrance is framed in scored stucco, resembling blocks, with a tubular metal sign above. Large plate glass windows are located to both sides of the entrance; they are sheltered by matching black canopies. The first floor is occupied by the Discovery Channel store and the second floor by a bartending school. The building is Non-contributing due to its age.

#41 112 Church Street, (H. Abraham Store), 1961, Contributing

This small, three-story, two-bay, concrete block, flat-roofed International Style commercial building was built in 1961, to replace a three-story block that burned in June, 1947.²¹ The building was designed by architect Benjamin Stein and built by the Pizzigalli Construction Company. Hiram Abraham commissioned the building; he also owned the Art Deco style Sherman' Block/Abraham Building (#69/#70). The facade features strong vertical elements, with narrow rectangular white plastic panels divided vertically by a black steel frame covering the entire second and third stories. The panels are primarily white, with a narrow band of grey running along the width of the building just above each bank of windows. The black vertical frame varies in width, with the narrowest bars on the four central members and the widest on the ends. Each of the two bays on the second and third stories contains paired windows separated by narrow steel mullions that are integrated into the black frame and reach from the cornice above to the signboard below. Three pairs of windows have one over one sash, while the south set on the third floor contains a pair of the original louvered jalousie windows. The cornice is simply capped by a steel bar. The original first floor storefront was altered in 1995³² and given a more traditional appearance. It has a central door flanked on each side by three narrow half-length windows set in wood frames, with molded wood panels painted green below them. Above the door is a wood signboard, sheltered by a 'boutique' black fabric canopy.

At the time of its construction in 1961, this was the first new structure built on Church Street in almost a decade. It had several innovative features: an exposed structural steel frame, white

dark casing

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 7 Page 47

Church Street Historic District
Burlington, Chittenden County, Vermont

Description (continued)

plastic panels and louvered windows. One of the first occupants of the building was Cassler's Toys. Lipka's Jewelry store currently occupies the first floor, while the second and third contain office and storage space. Although the building is currently forty-seven years old, it contributes to the district because its International style façade, with unusual materials, is original to the building (as opposed to a modernist style façade applied to an older structure).

#42 114-116 Church Street (Howard National Bank), 1902 and 1941, Contributing
Constructed in 1902 for the Howard National Bank, this Renaissance Revival, three-story, five-by-five-by-one bay granite-faced structure anchors the northeast corner of Church and College Streets. Its most distinctive feature is the light gray-colored granite material used on the walls, cornice and window and door surrounds, giving this large, elegant building a uniform appearance that bespeaks stability and prosperity. There are now five bays along each of the two streets, with an additional corner bay set diagonally at the corner and uniting the two facades. As originally constructed, the building had five bays along College Street, but only two on Church Street. Three additional bays were added in 1941, when the bank acquired the building to the north of 116 Church Street and remodeled its façade to match the existing bays. The Howard National Bank has a flat roof, strong horizontality, and a symmetrical arrangement of features and ornamentation. The projecting cornice is supported by substantial brackets and a plain frieze. The deep-set one over one double-hung sash on the second and third stories have simple, low relief molded surrounds, except for projecting sills on the third story windows and projecting lintels on the second. The second story windows have no sills: they sit on a projecting belt course that demarcates the two upper stories from the ground level. The street level elevation along Church Street is divided into three wide bays. The two end openings have tall, arched, tripartite windows, with segmental granite moldings, to match those on the College Street elevation. The central bay contains a glass door providing access to the upper floors, with a very large plate glass transom even taller than the door below it. The corner bay contains the primary ground floor entrance, with double wood doors, small transom, a carved granite door surround and entablature with egg and dart molding. A granite wreath with "Howard National Bank, 1902" carved within the cartouche is centered above the entryway. The ground level along College Street contains five bays centered below the second and third story windows. Four bays have arched window lights and granite surrounds. The fifth, easternmost bay has a rectangular doorway with egg and dart molding below a projecting cornice, and an oculus window set within a carved granite wreath above the door.

STATE OF VERMONT
Division for Historic Preservation
Montpelier, VT 05602

HISTORIC SITES & STRUCTURES SURVEY
Individual Structure Survey Form

SURVEY NUMBER:

NEGATIVE FILE NUMBER:

UTM REFERENCES:
Zone/Easting/Northing

U.S.G.S. QUAD. MAP:

PRESENT FORMAL NAME:
H. G. Boutillie Co.

ORIGINAL FORMAL NAME:

PRESENT USE: art store

ORIGINAL USE:

ARCHITECT/ENGINEER:

BUILDER/CONTRACTOR:

PHYSICAL CONDITION OF STRUCTURE:
Excellent Good
Fair Poor

THEME:

STYLE:

DATE BUILT:

COUNTY:

TOWN:

LOCATION:

112 Church

COMMON NAME:

Boutillie's

FUNCTIONAL TYPE: commercial

OWNER:

ADDRESS:

ACCESSIBILITY TO PUBLIC:

Yes No Restricted

LEVEL OF SIGNIFICANCE:

Local State National

GENERAL DESCRIPTION:

Structural System Intrusion

1. Foundation: Stone Brick Concrete Concrete Block
2. Wall Structure
 - a. Wood Frame: Post & Beam Balloon
 - b. Load Bearing Masonry: Brick Stone Concrete Concrete Block
 - c. Iron d. Steel e. Other:
3. Wall Covering: Clapboard Board & Batten Wood Shingle Shiplap Novelty Stucco Sheet Metal Aluminum Asphalt Shingle Brick Veneer Stone Veneer
Bonding Pattern: Other:
4. Roof Structure
 - a. Truss: Wood Iron Steel Concrete
 - b. Other:
5. Roof Covering: Slate Wood Shingle Asphalt Shingle Sheet Metal Built Up Rolled Tile Other:
6. Engineering Structure:
7. Other:

Appendages: Porches Towers Cupolas Dormers Chimneys Sheds Ells Wings Other:

Roof Style: Gable Hip Shed Flat Mansard Gambrel Jerkinhead Saw Tooth With Monitor With Bellcast With Parapet With False Front Other:

Number of Stories: _____

Number of Bays: _____

Entrance Location: _____

Approximate Dimensions: _____

THREAT TO STRUCTURE:

No Threat Zoning Roads
Development Deterioration
Alteration Other:

LOCAL ATTITUDES:

Positive Negative
Mixed Other:

ADDITIONAL ARCHITECTURAL OR STRUCTURAL DESCRIPTION:

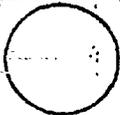
RELATED STRUCTURES: (Describe)

STATEMENT OF SIGNIFICANCE:

Intrusion

REFERENCES:

MAP: (Indicate North In Circle)



SURROUNDING ENVIRONMENT:

Open Land Woodland
Scattered Buildings
Moderately Built Up
Densely Built Up
Residential Commercial
Agricultural Industrial
Roadside Strip Development
Other:

RECORDED BY:

ORGANIZATION:

VT Division for Historic Preservation

DATE RECORDED:



Harvey Industries, Inc.
1400 Main Street, Waltham, MA 02451-1689
(781) 899-3500 harveybp.com

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**Manufacturing
ACKNOWLEDGEMENT**

Williston
71 Leroy Road
WILLISTON, VT 05495-5891
Phone: (802) 660-8111 Fax: (802) 660-4782

**DEPARTMENT OF
PLANNING & ZONING**

BILL TO:

ABLE PAINT GLASS & FLOORING/MAIN
683 PINE ST
BURLINGTON, VT 05401-0000

SHIP TO:

ABLE PAINT GLASS & FLOORING/MAIN
683 PINE ST



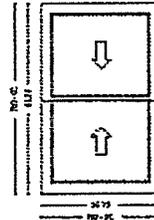
Phone: 802-655-6500 Fax: 8026556908

BURLINGTON VT 05401-0000
Phone: 802-655-6500 Fax: (802)655-6908

QUOTE NBR	CUST NBR	CUSTOMER PO	DATE CREATED	DATE ORDERED	ORDER TYPE
4008787	1051530		6/9/2016	Quote Not Ordered	Charge
ORDERED BY	STATUS	SHIP VIA	DELIVERY AREA		
SEAN	None	Whse Pickup	WILLISTON VT		
CLERK	JOB NAME	COUPON			
dgh - Drew Halko	LIPPAS				

LINE #	DESCRIPTION	QTY
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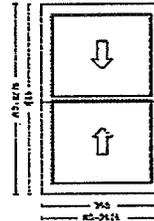
10000-1 Majesty DH, Unit Size 35.75 x 61.75, RO 36 x 62 4
 Unit 1: U-Factor = 0.31, SHGC = 0.27, VT = 0.50, NFRC CPD Number =
 HII-M-26-00366-00001, Custom / Call Size Option = Custom Size, Replacement
 Unit 1 Lower Glass, 1 Upper Glass: NFRC CPD Number =
 HII-M-26-00366-00001
 Unit 1: Preserve Film Required = No
 Unit 1 Lower, 1 Upper: Overall Glass Thickness = 11/16", Double Glazed, Low E,
 Argon Filled, Custom Annealed IG = Yes, IG MFG = CL
 Natural Pine, Unit Color = Bronze, Jamb Liner Color = Standard-Almond
 Window Label = Harvey, Single, Coppertone, Routed
 Half Screen, Fiberglass Mesh, Screen Shipping Separate = No
 Overall Rough Opening Width = 36, Overall Rough Opening Height = 62



Room Location: None Assigned

LINE #	DESCRIPTION	QTY
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11000-1 Majesty DH, Unit Size 36.5 x 62.5, RO 36.75 x 62.75 2
 Unit 1: U-Factor = 0.31, SHGC = 0.27, VT = 0.50, NFRC CPD Number =
 HII-M-26-00366-00001, Custom / Call Size Option = Custom Size, Replacement
 Unit 1 Lower Glass, 1 Upper Glass: NFRC CPD Number =
 HII-M-26-00366-00001
 Unit 1: Preserve Film Required = No
 Unit 1 Lower, 1 Upper: Overall Glass Thickness = 11/16", Double Glazed, Low E,
 Argon Filled, Custom Annealed IG = Yes, IG MFG = CL
 Natural Pine, Unit Color = Bronze, Jamb Liner Color = Standard-Almond
 Window Label = Harvey, Double Locks, Coppertone, Routed
 Half Screen, Fiberglass Mesh, Screen Shipping Separate = No
 Overall Rough Opening Width = 36.75, Overall Rough Opening Height = 62.75



Room Location: None Assigned

QUOTE NBR	CUST NBR	CUSTOMER PO	DATE CREATED	DATE ORDERED	ORDER BY
4008787	1051530		6/9/2016	Quote Not Ordered	Charge
ORDERED BY	STATUS	SHIP VIA	DIPART/AREA		
SEAN	None	Whse Pickup	WILLISTON VT		
CLERK	JOB NAME		COUPON		
dgh - Drew Halko	LIPPAS				

****Note: Delivery charges may apply and are not included on this quote.**

This quotation is based on our interpretation of the information provided. All quantities, sizes, extensions, grand totals, and specifications should be verified by the contractor prior to his/her bidding or ordering of materials. Harvey Industries, Inc., is responsible only for the items as quoted above. Any changes or addendums will be subject to a requote. We propose to supply the materials as described above, subject to the terms and conditions as required by our credit department. The prices are guaranteed for 90 days from the date of quotation unless otherwise noted. Delivery charges may apply and are not reflected on this quote. We appreciate the opportunity to quote this job. If you have any questions, please call your local warehouse.

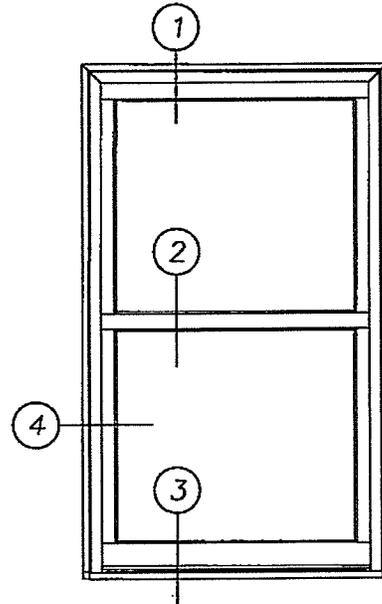
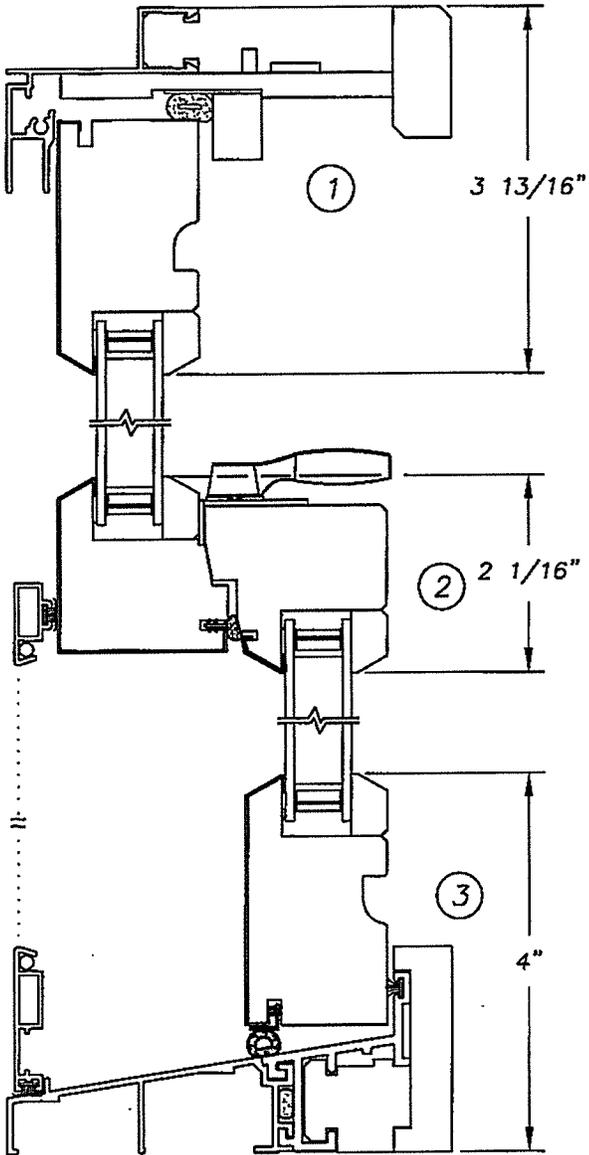
CUSTOMER SIGNATURE _____ DATE _____

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DEPARTMENT OF
PLANNING & ZONING

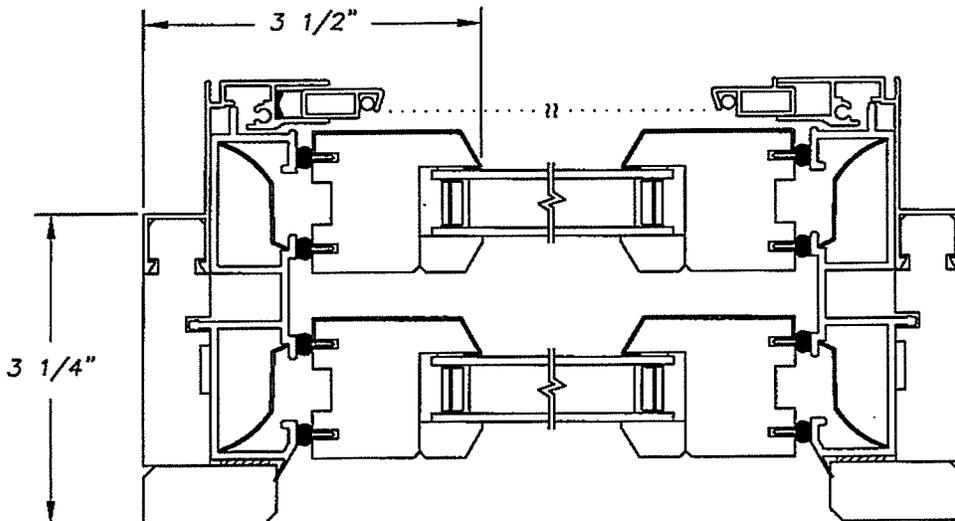
Harvey Building Products
 Majesty Replacement
 Double Hung
 (1/2 Scale)



(1/20)
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DEPARTMENT OF
 PLANNING & ZONING



Grantee:	City of Burlington
Parcel:	049-3-131-000
Owner:	Jeffrey S. Berger
Location:	112 Church ST
Land Use:	CR
COC Exp:	05/01/2017

Issue Date	Permit Type / Description	Folder No.	Permit No.	Grantor	Status
	Routine Inspections	109542	03-042229	Jeffrey S. Berger	Closed
ROC granted smoke detector extension until 12/30/04. Routine rental inspection 11/24/03 of two units conducted by JPR. Inspection triggered by Fire Marshall notification of missing smoke detectors and other concerns. Deficiencies found. Order issued and processed for mailing 12/31/03. JPR scheduled follow-up inspection on 3/11/04. Order issued, signed and mailed 5/4/05, along with self cert. Found in compliance. COC issued, signed, & mailed 9/7/05.					
	Minimum Housing Inspection	200788	10-124012	Jeffrey S. Berger	Closed
	Minimum Housing Inspection	267808	14-184961	Jeffrey S. Berger	Closed

Document Type: Zoning Review		Contact: Planning and Zoning Address: 149 Main Street Phone: (802)865-7188			
04/21/1992	Zoning Permit - COA Level I	40698	92-306	C M PROPERTIES	Permit Indeterminate 3
Change of use from office to one residential unit on third floor. Retail remaining on first and second floors. No exterior changes.					
10/05/1993	Zoning Permit - COA Level I	41506	94-167	John Anderson	Permit Indeterminate 3
Installation of a parallel sign, Measuring 2'X 23'6 on front facade of existing retail space. Application includes removal of existing awning.					
01/04/1994	Zoning Permit - COA Level I	41599	94-273	C M PROPERTIES	Permit Indeterminate 3
Change of use from retail to a residential unit on the second floor of the mixed use structure (Retail on first floor, Residential on third). No exterior changes proposed.					
02/24/1994	Zoning Permit - COA Level I	41611	94-301	C M PROPERTIES	Permit Indeterminate 3
Change of use from retail storage to retail (1500 sf) In the basement of the existing mixed use (Residential and retail) Building. Proposal includes the installation of door to access on the front elevation.					
11/01/1994	Zoning Permit - COA Level I	42220	95-197	Richard Brunelle	Permit Indeterminate 3
Installation of nonilluminated parallel signs, Across the existing sign band of the retail space, Measuring 5'X 2', Plus individual letters at either end.					
01/26/1995	Zoning Permit - COA Level I	42303	95-277	MITRA DESIGNS	Permit Indeterminate 3
Facade renovations to the existing retail space with two residential units on the second and third floors.					
01/21/2015	Zoning Permit Not Applicable	280674	15-0742NA	Jeffrey S. Berger	Review Complete
Interior renovations only.					
	Zoning Permit - COA Level I	315925	16-1441CA	Jeffrey S. Berger	Review Waiting
Replace window.					